

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PETER RODRIGUEZ,

Plaintiff,

-against-

THE CITY OF NEW YORK, E.S.U. CAPTAIN MOISE  
#1451, E.S.U. OFFICER GALUZEVSKIY #8957, E.S.U.  
OFFICER TEMIR WILLIAMS #11475, CORRECTION  
OFFICER FERRARO #1805, CAPTAIN GIBSON,

Defendants.  
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**DECLARATION OF JOSEPH  
ZANGRILLI IN SUPPORT  
OF DEFENDANT’S MOTION  
FOR SUMMARY  
JUDGMENT PURSUANT TO  
FED. R. CIV. P. 56**

20 Civ. 9840 (JHR) (BCM)

**JOSEPH ZANGRILLI**, an attorney duly admitted to practice in the State of New York, declares under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a Senior Counsel in the Office of Muriel Goode Trufant, Corporation Counsel of the City of New York, and the attorney assigned to defend the City of New York, Captain Moise, Officer Galuzevskiy, Officer Williams, Officer Ferraro, and Captain Gibson in this matter. As such, I am familiar with the facts and circumstances of this action. I make this declaration to place the relevant documents on the record in support of Defendant’s Motion for Summary Judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure.

2. Attached hereto as “Exhibit M” is a copy of the closed circuit television (“CCTV”) camera angle 191.36, covering Manhattan Detention Center Cells 3 and 4, during the incident that occurred on August 31, 2020, produced by Defendants in this action as Bates number DEF008091.

3. Attached hereto as “Exhibit N” is a copy of the handheld video recording of the incident that occurred on August 31, 2020, produced by Defendants in this action as Bates number DEF008090.

4. Attached hereto as “Exhibit O” is a synchronized presentation of Exhibits N and M, which has been created for the Court's convenience. This exhibit displays the handheld video footage (Exhibit N) positioned above the CCTV footage (Exhibit M) in a single frame, with both videos synchronized to play simultaneously. This synchronized presentation covers only the overlapping portions of both videos, specifically from CCTV timestamp 18:15:37 to 18:17:30, which encompasses the relevant events at issue. Because Exhibit N contains audio while Exhibit M does not, and Exhibit M contains burnt-in timecode reflecting the time of day while Exhibit N does not, this synchronized presentation allows the Court to view both camera angles while hearing the audio from the incident and observing the temporal sequence of events as reflected in the CCTV timestamp. The videos have not been altered in any way other than being positioned together and synchronized based on visible events occurring at the moment Cell 3 is opened at timestamp 18:16:04.

5. Attached hereto as “Exhibit P” are copies of additional relevant pages of plaintiff's medical records, bearing Bates numbers DEF001167–68; DEF001208–10; DEF002427–28; DEF002893–DEF002895; DEF002899; DEF003504–06; DEF003736; DEF003839–41; DEF003844–DEF003846; DEF006724–26; and DEF007099–104, showing Plaintiff's normal respiratory vitals before and after the subject incident, the delayed nature of his vision complaints, his refusal to accept medical services, and his own contemporaneous statements regarding his mental state that contradict the allegations made in this lawsuit.

6. Attached hereto as “Exhibit Q” is a copy of the Initial Incident Reports involving Plaintiff, bearing Bates numbers DEF007797–874, showing Plaintiff’s history of setting fires and exposure to chemical agents prior to the incident at issue, and his intervening misconduct including setting additional fires between the subject incident and his vision exam.

Dated: New York, New York  
July 10, 2025

**MURIEL GOODE-TRUFANT**  
Corporation Counsel of the City of New York  
*Attorney for Defendants City of New York, Moise,  
Galuzevskiy, Williams, Ferraro, and Gibson*  
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By: /s/ Joseph Zangrilli  
Joseph Zangrilli  
*Senior Counsel*

To: **VIA CERTIFIED FIRST CLASS MAIL**  
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Plaintiff,

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**DECLARATION OF JOSEPH ZANGRILLI IN SUPPORT  
OF DEFENDANTS' MOTION FOR SUMMARY  
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**MURIEL GOODE-TRUFANT**

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Of Counsel: Joseph Zangrilli  
Tel: (212) 356-2657

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 2025*

*.....Esq.*

*Attorney for .....*